

REMARKS

The Office Action mailed August 29, 2006, has been carefully reviewed and the following remarks are submitted in response thereto. Claims 1-16 are pending in the application.

The rejection of claims 1-16 under obviousness-type double patenting as being unpatentable over claims 1-8 of U.S. patent 7,046,269 (Parker et al) is respectfully traversed. A terminal disclaimer with respect to the '269 patent has been submitted herewith. Therefore, the rejection should be withdrawn.

The rejection of claims 1-16 under 35 USC 103(a) as being unpatentable over Cruickshank in view of Ishida is respectfully traversed.

The present invention provides improved sharing of computer resources between users of two computers connected by an internetwork. Representative claim 1 recites a method wherein served resources residing in a first computer are shared between the first computer and a second computer. Call clients are run in each of the first and second computers for establishing a data call in response to a database of IP addresses. A request for sharing said served resources is generated within the first or second computer. A server application is run in the first computer for hosting the served resources. Client applications are run in the first and second computers for retrieving the served resources from the server application simultaneously.

The server application and the client application running in the second computer exchange network packets in response to the IP addresses used by the call clients. Thus, one important aspect of the claimed invention is that the resources to be shared include a server application, and these resources are accessed using a client application regardless of whether the served resources are being accessed by the user of the first computer or the second computer. In other words, the server running on the first computer could be streaming video data to client applications (e.g., media players) on both the first and second computers simultaneously, resulting in simplified and shared control of the shared resource

between the two computer users.

In Cruickshank, the “resident collaboration applications in personal computers 112 and 122 may be any compatible collaboration applications, although for optimum performance they should be identical applications.” Thus, the claimed arrangement of a server application for hosting served resources on the first computer and separate client applications on the first and second computers for retrieving the served resources is not taught by Cruickshank.

The rejection relies on Ishida to allegedly disclose “running a server application in the computer for hosting the served resources, and retrieving the server resources from the server applications simultaneously.” Ishida relates to conference calling using an ISDN network. The present claims all relate to sharing computer resources between computers over an internetwork by exchanging network packets. Ishida is not a pertinent reference since it does not disclose sharing of computer resources and since an ISDN network is not a type of network by which computers exchange network packets.

Assuming for the sake of argument that Ishida was analogous art, it still fails to teach or suggest either the server or client applications recited in claims 1-16. The client applications of claims 1-16 retrieve served resources simultaneously. There are no video/audio resources in Ishida that are simultaneously retrieved by both a hosting multipoint conference device and a different multipoint conference device. As stated in col. 6, lines 16-19 of Ishida, video of the speaking party is shown on the monitors of other call participants while the video of an arbitrary terminal is shown on the speaker’s monitor. Moreover, the other participants do not all receive their video signals from a single source simultaneously. The video and audio are relayed from terminal to terminal (col. 6, lines 22-37).

In order for a server application in the first computer to simultaneously provide served resources to client applications in the first and second computers, the server application would be required to be responsive to commands or requests from the client applications. There is no teaching in Ishida of any such relationship between its multipoint

conference devices. Therefore, Ishida fails to provide any teaching or motivation to modify Cruickshank in a manner that provides the claimed features. Thus, independent claims 1, 8, and 11 are each patentable over the cited references.

Normally, one skilled in the art would not expect to operate both a server and client application on the same computer because since the resource resides on the computer it can be accessed directly by the user of the computer without the need for a client and server. The relaying of video/audio in the conference calling system of Ishida fails to either teach or suggest the arrangement in claims 1-16 which achieves improvements in the interaction of both users participating in a data call. By providing identical interfaces between each participant in the data call with the resource being shared (i.e., by means of each of them accessing the served resource with their own client application), an identical user experience is given to both users even though the resource being shared is local to one of the users.

Claim 2 recites that the IP address used in the call client of the first computer is reported to the server application and that the server application sends a session initiation message to the client application running on the second computer. Claim 3 recites an alternative embodiment wherein the IP address used in the call client of the second computer is reported to the client application running in the second computer and wherein the client application running in the second computer sends a session initiation message to the server application. These claims each result in two separate data sessions between the computers, one for the data call and one for sharing the server resources. The use of these multiple sessions is lacking from Cruickshank and Ishida, individually or in combination. Claims 12 and 13 recite the same limitations. Therefore, claims 2, 3, 12, and 13 are separately patentable.

Claims 4-6, 9, 10, and 14-16 recite other aspects of the operation of the server application and are therefore separately patentable.

In view of the foregoing amendment and remarks, claims 1-16 are now in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mark L. Mollon", is written over a horizontal line.

Mark L. Mollon

Attorney for Applicant(s)

Reg. No. 31,123

Dated: November 21, 2006
MacMillan, Sobanski & Todd, LLC
One Maritime Plaza, Fifth Floor
720 Water Street
Toledo, Ohio 43604
(734) 542-0900
(734) 542-9569 (fax)